

### **Remarks**

Claims 1-33 and 37-41 are pending. Claims 1-33 and 37-41 are rejected.

Claims 1, 12, 16, 20, 27 and 33 have been amended. Support for these amendments may be found, for example, on page 11, lines 4-12 and page 14, lines 25-29 of the Application.

Claims 12-15, 33 and 37-39 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 5,315,504 (Lemle). Claims 1-11, 20-32 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemle in view of U.S. Pat. No. 5,031,214 (Dziewit) and in further view of U.S. Pat. No. 6,434,580 (Takano). Claims 16-19 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemle in view of Dziewit.

With regard to claim 1, the references do not appear to teach obtaining a next available docket identification number for the permanently locked disclosure from a docketing system or assigning the docket identification number to the permanently locked disclosure.

Claims 12, 16, 20, 27 and 33 are patentable for the reasons claim 1 is patentable.

With regard to claims 1, 16, 20, 27 and 40, the Examiner asserts that

it would have been obvious . . . to modify the invention disclosed by Lemle to implement a permanent locking process to prevent any further changes as to thereby avoid tampering and also one of ordinary skill in the art would have been motivated to do so because it could provide a permanent record that may be used in a legal process as suggested by Dziewit . . . ."

Office Action, December 20, 2007, p. 8.

Lemle, however, states that

[I]n most instances the requirements are more complex and several levels of management or functional approvals may be required, e.g. by a Financial Analyst, a Budget Controller, etc. . . . Often the approval process depends on data filled into the form: e.g. for a purchase order if the amount of a purchase requested doesn't exceed a given value, one level of management is sufficient, otherwise two levels of management are necessary, for instance. Also because of management decisions, approval rules for a given form can be changed without the form itself being changed.

Lemble, col. 1, ll. 38-48.

[T]his invention addresses the automation of all the steps involved in the processing of documents whose contents require complex approvals.

That includes documents origination, approver list determination, electronic signatures (i.e. approval) authentication, finalization operations, storage and general follow-up of the process.

More particularly the invention addresses an approval system for controlling the processing of a user originated document requiring signature by electronic approval by system selected users, in an electronic mailing system including terminals attached to a digital network, virtual machines (VM) including computer means, memory and software facilities assigned to individual users, each user being assigned a job or function within the population of system attached users, and means for generating processing and monitoring electronic documents to be mailed from any terminal to any user . . . .

Lembe, col. 2, ll. 33-51.

The "documents whose contents require complex approvals" discussed by Lemble appear to be of a business (as opposed to a legal) nature. Permanently locking such documents to prevent further editing may be ill-advised. If, for example, a business document in Lemble needs to be altered after the approval process because of a change in business conditions, such alteration could not be performed. The originator in Lemble would need to re-create the document from scratch. Moreover, business documents are typically not prepared for the primary purpose of providing "a permanent record that may be used in a legal process . . . ." Rather, business

documents would appear to be prepared for business reasons. One of ordinary skill would not have had reason to combine Dziewit with Lemble.

The dependent claims are patentable because they depend from one of the independent claims.

Applicants' Attorney submits that the claims are in a condition for allowance. Applicants' Attorney respectfully requests a notice to that effect. Applicants' Attorney also invites a telephone conference if the Examiner believes that it will advance the prosecution of this application.

A Petition To Re-Mail Office Action And Re-Start Applicable Time Period And/Or Waive Extension Of Time Fee Based On Failure To Receive Office Action ("Petition") is submitted herewith. The Petition states, *inter alia*, that

A review of PAIR by Applicants' attorney on April 10, 2008 revealed that an Office Action for the above referenced matter had been issued on December 20, 2008. Applicants' attorney submits that a search of the attorney's record(s), including any file jacket or the equivalent, and the application contents, indicates that the Office Action was not received from the USPTO at the correspondence address of record. Applicants' attorney requests that the USPTO re-mail the Office Action and re-start any applicable time periods for response and/or waive any extension of time fees incurred.

Petition, p. 1.

Applicants' Attorney does not believe any extension of time fee is due. Applicants' Attorney, however, authorizes the USPTO to charge any fees, including extension of time fees, or credit any overpayments as a result of the filing of this paper to Deposit Account No. 06-1510.

Respectfully submitted,

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